

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DE'MARIAN CLEMONS,

Plaintiff,

vs.

ROBERT CLINTON HAYES, *et al.*,

Defendants.

Case No. 2:10-cv-01163-KJD-GWF

ORDER

Motion for Extension (#9) and
Motions for Copies (#11-12)

This matter is before the Court on Plaintiff's Motion for Copy of his Complaint and Request for an Extension of Time to Serve his Complaint (#9), filed January 5, 2011; Plaintiff's Motion for a Copy of the Complaint (#11), filed January 18, 2011; and Plaintiff's Motion to Receive Free Copies (#12), filed January 20, 2011

1. Motion for Copies

Plaintiff requests that the Court send him a file-stamped copy of his Complaint (#5) so that he may serve the defendants. (#9, 11-12). LR 10-4(b) states, "persons appearing *in pro se* who wish to receive a file-stamped copy of any pleading or other paper must submit one (1) additional copy and if by mail, a self-addressed, postage paid envelope." Plaintiff is encouraged to retain a copy of all documents submitted to the Court and to follow the procedure for preserving copies of documents filed in his case.

In addition, the statute providing authority to proceed *in forma pauperis*, 28 U.S.C. § 1915, does not include the right to obtain court documents without payment. *See id.* Plaintiffs proceeding *in forma pauperis* are not entitled to receive free copies of documents from the court without the plaintiff demonstrating a specific showing of need for the copies requested. *Spisak v. State of Nevada*, 2007 WL 1612293, *3 (D. Nev. 2007) (citing *United States v. Newsome*, 257 F.Supp. 201, 203 (N.D. Ga. 1966)); *see also, Collins v. Goord*, 438 F.Supp. 2d 399 (S.D.N.Y. 2006); *Guinn v. Hoecker*, 43 F.3d 1483 (10th Cir. 1994) (no right

1 to free copy of any document in record unless plaintiff demonstrates specific need); *In re Richard*, 914 F.2d
2 1526 (6th Cir. 1990) (28 U.S.C. § 1915 does not give litigant right to have documents copied at government
3 expense); *Douglas v. Green*, 327 F.2d 661, 662 (6th Cir. 1964) (no free copy of court orders).

4 The Court will provide litigants with copies of filed documents for \$0.10 per page. Plaintiff's
5 Complaint (#5) consists of seventeen (17) pages. Accordingly, Plaintiff should submit a check for \$1.70 to
6 the Court along with a request for the Court to mail him a copy of his complaint. In the event that Plaintiff's
7 inmate account does not contain \$1.70, Plaintiff should submit a request for the Court to provide him with a
8 free copy of the complaint and attach a copy of his inmate statement showing that it does not contain \$1.70.


9 **2. Motion for Extension**

10 Under Fed.R.Civ.P. 4(m), a plaintiff must serve the summons and complaint upon Defendants within
11 120 days of the date the complaint was filed. After the complaint was screened, the Court filed Plaintiff's
12 Complaint on October 28, 2010. (#4-5). Based on the filing date, Plaintiff must accomplish service upon
13 Defendants before February 24, 2011. Therefore, Plaintiff still has 34 days remaining to serve his complaint
14 under Rule 4(m) and the Court finds an extension is not warranted at this time. Accordingly,

15 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Copy of his Complaint and Request for an
16 Extension of Time to Serve his Complaint (#9) is **denied**.

17 **IT IS FURTHER ORDERED** that Plaintiff's Motion for a Copy of the Complaint (#11) and
18 Plaintiff's Motion to Receive Free Copies (#12) are **denied without prejudice**.

19 DATED this 24th day of January, 2011.

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23 **GEORGE FOLEY, JR.**
24 **UNITED STATES MAGISTRATE JUDGE**
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